

Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed August 5, 2005. No fee is due for the addition of any new claims.

Claims 1-18 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-18. The present Reply cancels claims 8 and 17, and amends claims 1, 2, 10, and 11, leaving for the Examiner's present consideration claims 1-7, 9-16, and 18. Reconsideration of the rejections is requested.

I. Summary of Examiner's Rejections

Claims 2 and 11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claims 1-18 were rejected under 35 U.S.C. §102(e) as being anticipated by *Benayoun, et al.* (U.S. Patent No. 6,804,257).

II. Response to Rejections

Claims 2 and 11 have been amended to remove the problem of the lack of an antecedent basis. Independent claims 1 and 10 have been amended to better claim the present invention.

The Present Invention

The present invention teaches the transmission of messages each with a number of typed container modules (TCMs) contained therein. Modulated as such the message can be sent as a series of TCMs such that the receiving application can select among the TCMs and reconstruct and store the message according to its particular configuration needs. The relationship between the TCMs and the message is clearly defined such that the integrity of the entire message is not affected by dynamically modifying, adding, or removing a TCM from the message. This facilitates the handling of the message content with great flexibility and efficiency on the one hand, and provides a very simple and efficient way to add new features on the other hand. Major message content change can be achieved simply by either adding a TCM, or swapping a TCM with a different TCM. Minor message content change can be achieved simply by either modifying or expanding the TCM directly within the message. New features can be added simply by adding new TCMs and new code to process the new TCMs.

Benayoun Teaches the Transmission of a Stream of Packets, But Unlike the TCMs of the Present Invention the Benayoun Packets Are Not Grouped Into Messages; Benayoun Lacks the Message Superstructure of the Present Invention

The present invention teaches and claims a system and method for sending *messages*. The messages of the present invention constitute a kind of superstructure which contains the TCMs. The packets of Benayoun are not properly analogous to the TCMs of the present invention because, unlike the TCMs, they are not grouped into any superstructure similar to the message and flexible message header structure of the present invention.

As Now Claimed the Present Invention Uses Pointers in the Edit Mode to Link the TCMs;
This Is Much Different From Benayoun

Benayoun describes its packets as being “chained” and teaches a cumbersome procedure in which CRCs (Cyclic Redundancy Checking) are computed such that the CRC of the nth packet includes in its calculation the value of the data field CRC of the previous packet. This is a cumbersome procedure and it is unlike the situation with the present invention.

In contrast with the present invention, when the flexible message header is in EDIT mode, each TCM, except the one containing the user data, is prefixed with a TCM Attachment Unit which comprises two pointers – one to point to the next TCM and the other to point to the previous TCM in the message. Thus in EDIT mode the successive TCMs are elegantly linked through the use pointers and there is no procedure corresponding to the cumbersome CRC computation of Benayoun. This important difference between the present invention and the teachings of Benayoun is now reflected in both of the independent claims as amended.

III. Conclusion

In light of the above, Applicants respectfully request consideration of the application and claims as currently presented. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: 11/7/05

By: Eric N. Hoover
Eric N. Hoover
Reg. No. 37,355

Customer No. 23910
FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800